

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:06-CR-30
)	(Varlan / Guyton)
MARK ANTHONY TINDELL,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court on defendant Mark Tindell's Motion for Disclosure [Doc. 114]; and Motion for Hearing [Doc. 115]. Mr. Tindell objects to the United States' proposed testimony of Drug Enforcement Administration Agent David Lewis as an expert at trial. Mr. Tindell requests remedies of a more detailed summary of the proposed expert testimony and a hearing outside the presence of the jury before Agent Lewis' testimony is offered.

This Court has previously ruled on these same issues in its Memorandum and Order [Doc. 106], filed November 28, 2007. Mr. Tindell objected to the Court's ruling and asked the District Court for review. The District Court then conducted a review and issued an Order [Doc. 113], filed January 4, 2008, ruling on these issues and noting that Mr. Tindell may raise an objection to the testimony at trial should he elect to do so. Memorandum and Order [Doc. 106, at 3]; and Order [Doc. 113, at 2]. To the extent Mr. Tindell requests a more detailed expert summary of Agent Lewis' proposed testimony, the Court finds the Government's Notice of Expert testimony [Doc. 95]

is adequate in this regard.

Accordingly, Mark Tindell's Motion for Disclosure [**Doc. 114**] is **DENIED**; and Motion for Hearing [**Doc. 115**] is **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ H. Bruce Guyton
United States Magistrate Judge